

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GRACIELA BELTRAN, *et al.*

Plaintiffs,

vs.

CAPITOL RECORDS, LLC, f/k/a, CAPITOL
RECORDS, INC. AND EMI MUSIC, INC.,

Defendants.

MARTHA DAVIS, *et al.*,

Plaintiffs,

VS.

EMI GROUP LIMITED,

Defendant.

DALE BOZZIO, *et al.*,

Plaintiffs,

VS.

EMI GROUP LIMITED, *ET AL.*

Defendants.

Case No.: 12-cv-1002 YGR

**ORDER DENYING MOTION TO
CONSOLIDATE WITHOUT PREJUDICE**

12-cv-1602

12-cv-2421

On June 26, 2012, Plaintiff Graciela Beltran filed her Motion for Order of Consolidation seeking to consolidate the actions of *Graciela Beltran, et al. v. Capitol Records, LLC, et al.*, Case No.

12-cv-1002, *Martha Davis, et al. v. EMI Group Limited*, Case No. 12-cv-1602, and *Dale Bozzio, et al. v. EMI Group Limited, et al.*, Case No. 12-cv-2421. Defendants oppose the motion to consolidate.

The Court has broad discretion to determine whether consolidation is warranted. *Investors Research Co. v. U.S. Dist. Ct. for the Southern Dist. of Cal.*, 877 F.2d 777, 777 (9th Cir. 1989). Here, the pleadings are not yet settled. Defendants have raised questions regarding the enforceability of the contract in *Beltran*. Pending in these related actions are motions to dismiss the amended complaints in *Beltran* and in *Bozzio*. Moreover, since the motion to consolidate was filed, an additional case has been ordered related to these pending matters, *Ralph Vierra Tavares, et al., v. Capitol Records, LLC, et al.*, Case No. 12-cv-3059. (See Order dated July 18, 2012, Dkt. No. 50.)

Considerations of judicial efficiency and prompt resolution of the issues aimed at the individual complaints do not favor consolidation at this time. The motion is **DENIED** without prejudice to a future motion or stipulation.

This Order Terminates Docket Number 45 in 12-cv-1002.

IT IS SO ORDERED.

Date: August 1, 2012


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE